

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

HECTOR ALONZO	]	
Petitioner,	]	
	]	
v.	]	No. 3:12-0329
	]	Judge Campbell
HENRY STEWARD, WARDEN	]	
Respondent.	]	

O R D E R

On July 11, 2012, an order (Docket Entry No.15) was entered granting the respondent's second motion for an extension of time in which to file a response to the petitioner's habeas corpus petition.


Presently before the Court is petitioner's motion (Docket Entry No.23) pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, seeking relief from the order granting the respondent an extension of time.

Rule 60(b) provides a party relief "from a final judgment, order, or proceeding". The addition of the qualifying word "final" emphasizes the character of the judgments, orders or proceedings from which Rule 60(b) affords relief. Advisory Committee Notes; 1946 Amendment.

The order granting the respondent an extension of time in which to file a response to the petitioner's habeas corpus petition

was clearly not a final order as contemplated by Rule 60(b). Relief under this provision of the Federal Rules of Civil Procedure, therefore, is not available. Accordingly, petitioner's Rule 60(b) motion is hereby DENIED.

It is so ORDERED.

  
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Todd Campbell  
United States District Judge